

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRIAN FIELDS, <i>et al.</i>,	:	CIVIL ACTION NO. 1:16-CV-1764
	:	
Plaintiffs	:	(Chief Judge Conner)
	:	
v.	:	
	:	
SPEAKER OF THE PENNSYLVANIA	:	
HOUSE OF REPRESENTATIVES,	:	
<i>et al.</i>,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 29th day of August, 2018, upon consideration of the parties' cross-motions (Docs. 77, 80) for summary judgment pursuant to Federal Rule of Civil Procedure 56, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Plaintiffs' motion (Doc. 77) for summary judgment is GRANTED in part and DENIED in part, as follows:
 - a. Summary judgment is GRANTED in plaintiffs' favor on their Establishment Clause challenges to the guest chaplain policy and pre-2017 opening invocation practices of the Pennsylvania House of Representatives.
 - b. Summary judgment is DENIED as to plaintiffs' Establishment Clause claim regarding the current House opening invocation practices.
2. Defendants' motion (Doc. 80) for summary judgment is GRANTED in part and DENIED in part as follows:
 - a. Summary judgment is GRANTED in defendants' favor on plaintiffs' Establishment Clause claim regarding the current House opening invocation practices.

- b. Summary judgment for defendants is DENIED in all other respects.
- 3. It is ORDERED and DECLARED that the House's guest chaplain policy and pre-2017 opening invocation practices are unconstitutional in violation of the Establishment Clause of the First Amendment to the United States Constitution, and continuance and enforcement thereof is permanently ENJOINED.
- 4. The Clerk of Court shall enter declaratory judgment in plaintiffs' favor on the Establishment Clause claims, brought pursuant to 42 U.S.C. § 1983, challenging the House's guest chaplain policy and pre-2017 opening invocation practices. The Clerk of Court shall enter judgment in defendants' favor on plaintiffs' Establishment Clause claim challenging the current House opening invocation practices.
- 5. The Clerk of Court shall thereafter close this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania